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99TH CONGRESS
2d Session

HOUSE OF REPRESENTATIVES

REPORT
99-671

ORIGINAL

AMENDING THE WILD AND SCENIC RIVERS ACT BY DESIGNATING A SEGMENT OF THE HORSEPASTURE RIVER IN THE STATE OF NORTH CAROLINA AS A COMPENENT OF THE NATIONAL WILD AND SCENIC RIVERS SYSTEM

JULY 15, 1986.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. UDALL, from the Committee on Interior and Insular Affairs, submitted the following

REPORT

[To accompany H.R. 2826]

[Including the cost estimate of the Congressional Budget Office.]

The Committee on Interior and Insular Affairs, to whom was referred the bill (H.R. 2826) to amend the Wild and Scenic Rivers Act by designating a segment of the Horsepasture River in the State of North Carolina as a component of the National Wild and Scenic Rivers System, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Page 2, line 3, strike all thereafter through page 3, line 6, and insert the following in lieu thereof:

> (56) HORSEPASTURE, NORTH CAROLINA.—The segment from Bohaynee Road (N.C. 281) downstream approximately 4.25 miles to where the segment ends at Lake Jocassee, to be administered by the Secretary of Agriculture. Notwithstanding any limitation of section 6 of this Act, the Secretary is authorized to utilize the authority of this Act and those pertaining to the National Forests to acquire by purchase with donated or appropriated funds, donation, exchange or otherwise, such nonfederal lands or interests in lands within, near, or adjacent to the designated segments of the river which the Secretary determines will protect or enhance the scenic and natural values of the river.

BACKGROUND

The Horsepasture River is located within the boundary of the Nantahala National Forest in the State of North Carolina. The segment of the Horsepasture River proposed for inclusion in the Na-

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tional Wild and Scenic Rivers System drops 1,700 feet in four miles off the Blue Ridge escarpment in western North Carolina, just north of the South Carolina line. In this drop there are five magnificent waterfalls. Large numbers of visitors come every week to visit and enjoy the river. Several unusual species of rhododendron grow in profusion in the gorge. The lower part of the gorge, which contains virgin timber, has been designated as a Society of American Foresters Natural Area and as a North Carolina Natural Heritage Area.

This segment of the Horsepasture River was included as a Wild and Scenic study river by action of the 98th Congress (P.L. 98-484). The study has not yet been submitted to the Congress. The State of North Carolina included this segment of the river in the State Natural and Scenic River System in 1985. That legislation also requested the Governor to petition the Secretary of the Interior to designate the river as part of the national system. As of the date of this report such action has not been taken.

Purpose

The purpose of H.R. 2826 [1] is to amend the Wild and Scenic Rivers Act by designating a segment of the Horsepasture River in the State of North Carolina as a component of the National Wild and Scenic Rivers System.

Section-by-Section Analysis

The bill would amend section 3(a) of the National Wild and Scenic Rivers Act to add a new paragraph at the end of section 3(a) which would designate the segment of the Horsepasture River, North Carolina, from Bohaynee Road downstream to Lake Jocassee. The river segment would be administered by the Secretary of Agriculture and the Secretary would be permitted to acquire lands beyond the limits imposed by section 6 of the Wild and Scenic Rivers Act.

Legislative History and Committee Recommendations

A hearing was held by the Subcommittee on National Parks and Recreation on H.R. 2826 on April 29, 1986. The Subcommittee considered the bill on May 22, 1986 and recommended the bill to the Committee on Interior and Insular Affairs with an amendment. The Committee considered H.R. 2826 on June 11, 1986 and ordered the bill, as amended, favorably reported, by voice vote, and recommends it to the House.

Inflationary Impact Statement and Budget Act Compliance

Taken in the context of the overall budget, the funding involved is insignificant and the committee believes no inflationary impact will result from the enactment of this legislation. The analysis of the Congressional Budget Office, which the committee adopts as its own, follows:

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[1] H.R. 2826 was introduced by Representative William Hendon on June 20, 1985.

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U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 23, 1986.

Hon. MORRIS K. UDALL,
Chairman, Committee on Interior and Insular Affairs, House of Representatives, Longworth House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed H.R. 2826, a bill to amend the Wild and Scenic Rivers Act by designating a segment of the Horsepasture River in the State of North Carolina as a component of the National Wild and Scenic Rivers System, as ordered reported by the House Committee on Interior and Insular Affairs, June 11, 1986.

We estimate that enactment of this bill will not result in significant additional costs to the federal government and will not affect the budgets of state and local governments.

If you wish further details on this estimate, we will be pleased to provide them.

With best wishes,

Sincerely,

RUDOLPH G. PENNER, *Director*

OVERSIGHT STATEMENT

The committee intends to carefully monitor the implementation of this legislation to assure compliance with the intent of the act. No recommendations were submitted to the committee pursuant to rule X, clause 2(b)(2).

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

WILD AND SCENIC RIVERS ACT

(82 Stat. 906; 16 U.S.C. 1274)

* * * * * * *

SEC. 3. (a) The following rivers and the land adjacent thereto are hereby designated as components of the national wild and scenic rivers system:

* * * * * * *

(56) HORSEPASTURE, NORTH CAROLINA.—The segment from Bohaynee Road (N.C. 281) downstream approximately 4.25 miles to where the segment ends at Lake Jocassee, to be administered by the Secretary of Agriculture. Notwithstanding any limitation of section 6 of this Act, the Secretary is authorized to utilize the authority of this Act and those pertaining to the National Forests to acquire by purchase with donated or appropriated funds, donation, exchange or otherwise, such nonfederal lands or interests in lands within, near, or adjacent to the designated segments of the river which the

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Secretary determines will protect or enhance the scenic and natural values of the river.

(b) The agency charged with the administration of each component of the national wild and scenic rivers system designated by subsection (a) of this section shall, within one year from the date of this Act [enacted Oct. 2, 1968] (except where a different date is provided in subsection (a)), establish detailed boundaries therefor (which boundaries shall include an average of not more than three hundred and twenty acres per mile on both sides of the river); determine which of the classes outlined in section 2, subsection (b), of this Act [16 USCS § 1273(b)] best fit the river or its various segments; and prepare a plan for necessary developments in connection with its administration in accordance with such classification. Said boundaries, classification, and development plans shall be published in the Federal Register and shall not become effective until ninety days after they have been forwarded to the President of the Senate and the Speaker of the House of Representatives.

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